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Fifth meeting of the Joint Inter-governmental
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LC/NAIR/981

Modalities for Incorporating the Cairo Programme of the
African Ministerial Conference on the Environment
into on going national Environment Programme

INTRODUCTION

1. The general objectives of the Cairo Programme on Environmental Co-operation in Africa is 1/ "to strengthen co-operation between African Governments in economic, technical and scientific activities, with the prime objective of halting and reversing the degradation of the African environment in order to satisfy the food and energy needs of the peoples of the continent".

2. To achieve the above objective, it established a Bureau, which was to be responsible for the implementation of decisions of AMCEN; a permanent secretariat of the Conference was also established with the following tasks:

- (a) to assist the president of the Conference and its permanent Bureau in the implementation of the decisions adopted by the Conference;
- (b) to assist, under the direction of the president, in the organization and maintenance of permanent co-operation among the four committees, among the various networks, and between the networks and the committees.

3. An Inter-Agency Working Group was also established. The tasks of this Group are to co-ordinate the activities of international agencies among themselves, in relation to the implementation of the Cairo Programme for African Co-operation to assist in relating the individual programme of international agencies to the African programme and to serve as a scientific and technical advisory body to the bureau of the Conference through the permanent secretariat.

4. Four Committees were also established. These Committees were established on areas of priority as identified by the Cairo Programme. The four Committees are:

- (1) Desert and Arid Lands Committee;
- (2) Forests and Woodlands Committee
- (3) Seas Committee; and
- (4) River and Lake Basins.

1/ First African Ministerial Conference on the Environment, Cairo, 16-18 December 1985. United Nations Environment Programme (UNEP)

Regional Technical Co-operation Networks

5. The tasks of the networks or terms of reference are: (a) strengthening horizontal co-operation between national technical departments and scientific institutions in highly scientific and technical areas; this pooling the experience acquired and ensuring the utilization of available national skills, capabilities and experiences on a 'regional basis'; (b) seeking solutions to environmental problems that transcend state boundaries; (c) collecting, processing, storing and disseminating basic data provided by national technical department. It is proposed that for these networks to be functional at the national level, a country should designate an institution to serve as the focal point for each of the proposed eight networks:

(a) Environmental management

6. This network is to bring together existing national technical departments, subregional institutions particularly remote sensing centres and regional institutions to form a regional environmental monitoring system.

(b) Climatology

7. The climatology network would be closely connected with the activities to be carried out in pursuance of ECA Conference of Ministers resolution 523(XIX) adopted in May 1984, as well as on-going WMO activities in the region, especially the newly established African Centre of Meteorological Application for Development (ACMAD).

(c) Soil studies including fertilizers

8. The activities of network would promote the establishment of links between soil studies departments and centres in Africa and its functions would include addressing the issues involved in the production of cheap soil amelioration measures and fertilizers.

(d) Water resources

9. The network on water resources is supposed to address both quantitative and qualitative aspects of water, in particular issues relating to monitoring of the quality of surface and underground water.

(e) Renewable sources of energy

10. Drawing on national, subregional and regional machineries, this network would promote the speedy development of practical projects, the dissemination of technical information and the training of personnel.

(f) Conservation of genetic resources

11. This network would cover natural resources and protected areas, germplasm banks in Africa and promote the dissemination of related information.

(g) Science and technology

12. The network would forge links between national institution working in the field of science and technology and research and development.

(h) Environmental education and training

13. The activities of this network would include the promotion of environmental education in schools and institutes of higher education as well as focus on training farmers and stock breeders in proven techniques. The activities of these networks would be integrated by participating agencies into their relevant network activities as the case may be.

14. Added to these networks were regional pilot projects which would be aimed at utilizing "all available African skills and experience to seek economically feasible, environmentally sound and socially acceptable solutions to the complex problems of grassroot development, in 150 villages and 30 semi-arid stock raising zones".

Progress Report on the activities of AICEN since the
fourth meeting of the ECA Joint Inter-governmental
Committee on Human Settlements and Environment

The Bureau

15. Since the establishment of the Bureau, it has held three meetings: the first meeting of the Bureau was held in Nairobi, Kenya (7-9 October 1986). At the Bureau first meeting the main item discussed was on the decisions and recommendations on the establishment of the regional technical co-operation networks on environment and eco-development in Africa made by AICEN. At this first meeting the function of the networks, the field of expertise to be covered by their members and criteria for the choice of their location as well as the institutional arrangements considered necessary for their effective operations were considered.

The second meeting of the Bureau

16. The second meeting of the Bureau was held in Cairo, Egypt from 31 March to 2 April 1987. The report of the first meeting of the Bureau was considered including report from the various committees such as: Committee on Deserts and Arid Lands; Committee on River and Lake Basins; Committee on Forests and Woodlands. Also the budgets for each Committee was developed and approved for the 1987-89 budgetary period.

The third meeting of the Bureau - Nairobi, Kenya (22-23 March 1988)

17. At the third meeting, issues and problems of organizational and institutional matters were discussed. At this meeting, it was decided that the Third Session of the African Ministerial Conference on the Environment would be held in May 1989 prior to the meeting of UNEP's Governing Council.

Inter-agency meetings

18. Since the establishment of African Ministerial Conference on the Environment, the inter-agency arrangement established by the conference has met three times. Regarding the Regional Technical Co-operation networks on environment and development, considerable effort has been made by the secretariat since A/CEN II to get the networks fully operational. In all these efforts, the relevant UN agencies/organizations associated with the work of the Inter-agency Working Group have been involved to a considerable extent, with encouraging results.

19. With respect to the decisions of A/CEN II regarding those networks to be given priority attention, the following action has been taken:

(a) Environmental monitoring

The Global Environmental Monitoring System (GEMS) of UNEP has undertaken preliminary studies and assessments covering eight countries for the purpose of making the network operational and identifying a suitable African national institution to host it eventually.

(b) Climatology

UNEP is currently participating in inter-agency consultations for the finalization of operational arrangements for the African Centre for Meteorological Applications for Development (ACMAD), which in accordance with the Bureau's decisions, is to perform the task of Regional Co-ordination Unit (RCU) for the network. In the meantime, the relevant Unit in UNEP has identified some of the activities to be undertaken in the intervening period to assist the work of the RCU. The initial phase will concentrate on data rescue in 42 countries (other than the eight CILSS countries covered by a WMO/Belgium Data Bank Programme). Ten countries will also be selected for counterpart training and installation of equipment. An International Data Rescue Co-ordinating Centre will be identified to undertake training activities, microfilm data processing and related activities.

Soils and Fertilizers

20. The network held its first meeting in Ghana on 19-21 October 1987 and finalized financial, organizational and operational arrangements for its activities. The membership of its management and planning group was also agreed upon for approval by the Bureau. Proposals have also been received from the Director of the Regional Co-ordination Unit for the strengthening of the Unit. The FAO regional office in Accra co-sponsored the meeting and is lending its active support to these efforts.

21. The International Board for Soil Research and Management (IBSRAM), the International Fertilizer Development Centre (IFDC) and the African Soil Science Society (AFSOS) participated in the meeting and offered to provide all possible support.

Energy

22. The Energy Network held its first meeting in Senegal from 3-10 February 1988 and decided on its organizational, operational and financial arrangements. A workplan also has been agreed upon. UNESCO and UNDP are lending to the effort.

Water

23. The first meeting of the network took place in Egypt on 26-28 October 1987 and was officially opened by the President of AMCEN. The meeting decided on its organizational, operational and financial arrangements as well as the workplan for 1988-89.

24. The membership of the Management and Planning Group has been agreed upon for approval by the Bureau. UNESCO co-sponsored the meeting and is lending its active support to the network. The ECA, EAC, WHO and DTCD (UN Headquarters, New York), which attended the meeting, indicated their willingness to provide support in specific areas. The Egyptian Government has expressed its intention to provide the Regional Co-ordination Unit (RCU) with generous infrastructural support.

25. With respect to the remaining three networks (genetic resources, science and technology and environmental education and training), work is currently underway in the secretariat to establish the network on education and training, which the Second Session of AMCEN decided should be given top priority, and a project is being funded by UNEP for the purpose. The other two are still pending on decision by the Conference.

26. Relating to the Operational arrangements for the four committees of the Conference the report states that the general terms of reference of the Committees as approved by the Bureau and endorsed by AMCEN II now reads as follows:

To facilitate and co-ordinate the exchange of information between the various specialized regional networks established by the Conference;

To monitor progress in the implementation of the pilot village and pasture areas projects decided upon by the Conference, to provide advice to the managers of these national projects and refer them to the relevant networks, and to submit recommendations regarding the implementation and financing of the projects to the Bureau:

To review, in their areas of competence, results of monitoring of changes in the environment of the continent, especially its natural resources, and to make recommendations to the Bureau for actions needed to protect or properly manage those resources:

To prepare draft reports on the implementation of the pilot regional and the priority sub-regional projects decided upon by the Conference for review by the Bureau before presentation to the Conference.

27. In response to the session's request to the Bureau to finalize the composition, detailed terms of reference, workplans of the committees and the priority sub-regional activities recommended by the Bureau for early attention, the Executive Director's report stated that the following actions have been taken:

(a) Composition of the Committees

28. Governments have been invited to make further nominations of experts to serve on the Committees. So far five countries have responded. The names submitted have been incorporated in the roster of experts whose services can be utilized by the Committees, and the final composition of experts to be selected will be decided by the respective committees at their next meeting.

(b) Detailed terms of reference

29. So far no proposals have been received from Governments or the Committees for additions or amendments to the existing terms of reference.

(c) Workplans of the Committees

30. These will be finalized in the light of progress made by the respective committees with the currently agreed workplans.

(d) Priority sub-regional activities

31. As an initial step for the finalization of these activities, the secretariat is compiling an inventory of on-going sub-regional activities and institutions relating to the priority sub-regional activities in the Cairo Programme.

32. This information will be presented to the relevant committees at their next meeting to enable them finalize their activities.

Budget proposals of the Committees

33. In addition to the budgets already approved for the Committees, the secretariat is making efforts to mobilize funds from the international community.

34. In line with the decision regarding the possibility of establishing a committee or other appropriate organ in island ecosystems, the Governments of the African islands concerned have been informed and their reaction is awaited.

Priority sub-regional activities

35. As requested by the second session, possibilities are being explored for obtaining additional funds for the priority sub-regional activities.

Village and stock-raising pilot projects

36. The follow-up action required relating to these projects on the part of Governments has been brought to their attention. So far 32 countries have given concrete indications of the efforts they are making to mobilize scientific, technical and financial resources from local and external sources in support of village and stock-raising pilot projects. A full report will be provided, as requested by the Conference, at its third session, the report stated.

37. According to the Director of UNEP's report to date, 20 countries have, since the session, fulfilled partially or completely the necessary conditions for the village and stock-raising pilot projects to begin in their countries. And the request of the session that the President of the Conference and the Bureau members in co-operation with the Executive Director should continue their efforts to obtain additional funding for these projects is receiving due attention. Consultations have been held with donor countries and organizations. A number of UN agencies have also been lending their support in various ways.

Inter-agency Working Group

38. Regarding the request of the session for the secretariat to maintain the necessary contacts with the agencies/organizations, the secretariat has been in very close touch with these agencies/organizations in various ways, as has already been indicated, including the operations of the Regional Co-ordination Units (RCUs).

Financial arrangements

39. According to the report, consequent upon the appeal to Governments by the session, the secretariat has sent out further reminders to those Governments that have not already done so regarding the need to fulfill their financial obligations under the Cairo Programme. Similar reminders have been sent concerning the earmarking of IPF contributions.

40. So far twenty countries have taken the necessary action, and eighteen of these have made the necessary arrangements with their respective UNDP offices and informed the secretariat.

Environmental Education and Training

41. The report also observed that the decision of the session regarding the implementation by Governments of the Programme of Action on Environmental Education and Training in Africa (jointly sponsored by UNESCO and UNEP) has been brought to the attention of the Governments.

42. In line with the decision of the session, the secretariat requested Governments to provide information on institutions that could serve as a regional centre dealing with environment and natural resource use for consideration by the Bureau at its next meeting. So far no responses other than the preliminary presentation by Egypt have been received.

Recommendations of the session to the UNEP Governing Council at its fourteenth session

43. In response to the request of AMCEN II, the fourteenth session of the Governing Council passed a decision by which:

- (i) it welcomed the Cairo Programme for African Co-operation adopted by the African Ministerial Conference on the Environment at its first session, as it is directly relevant to the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, adopted by the General Assembly at its thirteenth Special Session;
- (ii) requested the Executive Director to provide technical and financial support within available resources to those activities of the Cairo Programme for African Co-operation selected for priority implementation.

44. As a result of the above Governing Council decision, UNEP is providing a budget of approximately \$2 million for follow-up activities to be undertaken by the secretariat during the 1988-89 biennium. Some agencies have also provided or promised financial and in-kind support which could amount to approximately another \$2 million and some donor countries have also given similar encouraging indications of support. This is all the more reason why Governments should demonstrate their seriousness of intent by honouring their obligations.

PROBLEMS ENCOUNTERED

45. The UNEP Executive Director's report identified the following problems relating to the implementation of AMCEN's programmes.

General observations

46. Although the past year, as was hoped, has been marked by some progress in the implementation phase of the Cairo Programme, there have been a number of difficulties.

47. Reference has already been made to the question of the response of Governments in the fulfillment of their financial and other obligations. Other serious problems have arisen in connection with the regional and the village and stock-raising projects.

The Networks

48. In the case of the networks, the establishment of their Regional Co-ordination Units has not in most cases been smooth sailing, partly because of organizational and logistical problems. The difficulties posed by the absence of ready telecommunications and other communications facilities between countries have imposed serious constraints on the organization and convening of meetings of management and planning committees and where meetings have eventually been held, the secretariat has been obliged to cover the travel costs of Government participants, even though this responsibility should have been borne by the Governments concerned, in line with the decisions of the Conference.

49. Another difficulty has been the late response of Governments to invitations to nominate participants for meetings. It is possible that there is a need for further clarification of communication channels between the secretariat and Governments, and any guidance from the Bureau in this matter would be helpful.

50. The question of persons eligible to attend meetings needs to be clarified. Network meetings are technical meetings, and accordingly should be attended only by technicians with expert knowledge of the subject. And, as has been decided by the Bureau, the secretariat's arrangements for such meetings will be made on the assumption that each participating member country will be represented by one or more technical experts, as it may decide, and that those participating will do so at the Government's expense.

51. The directors of the RCUs will also need to be encouraged to assume greater responsibility in the organization of activities, including meetings of their networks and RCUs. To this end they should quickly establish capabilities within their institutions for communicating readily with the members of their networks as well as the secretariat and the costs involved should be properly reflected in the budgets they present for support by A/CEN.

52. The Pilot Projects

52. In the case of the Pilot Projects the main problem so far has been the level of actual support and involvement by Governments. It will be recalled that the

Bureau, at its second meeting accented the recommendation of the Inter-agency Working Group that the implementation of these projects should involve three stages

- (i) Identification of villages and stock-raising zones, a responsibility which falls primarily on Governments;
- (ii) Design of the projects, which involve technical assistance;
- (iii) Implementation of the projects, which involve funding and management.

53. While the first stage does not appear to have posed any particularly serious problem (so far 32 countries have selected the necessary sites), serious difficulties seem to have been encountered with regard to the second stage, especially the design aspect, which is properly the responsibility of Governments, which are expected to identify and involve their own experts and more specifically the communities concerned. The result has been that in many cases the secretariat has been obliged to provide consultancies for this purpose at its own expense and in a number of cases has had to repeat requests for proper involvement of the people concerned. The Bureau may wish to recall that the hallmark of the Cairo Plan is to depart from traditional rural development projects and concentrate on projects which heavily involve the communities concerned in their design and implementation, using local experience and expertise.

54. Secondly, there has not been sufficiently close and constant interaction concerning the pilot projects generally between the focal points and the secretariat.

55. Such interaction is necessary to enable the secretariat to monitor progress in this area and be able to mobilize any additional inputs that may be needed for the successful implementation of these projects.

56. This was among the considerations that led the second session of the African Ministerial Conference on the Environment (AMCEN II), in its resolution 2/1 B5, to request each African Government to designate a national focal point to be responsible for matters relating to the Cairo Programme. Such close interaction with the secretariat will become especially vital when the pilot projects are fully launched on the ground and the support of the various technical organs established by the Conference is required.

The Committees

57. So far all the committees have held their first meetings, which have been quite successful and useful. However, the question of their membership, having regard to the recommendations made by the Inter-agency Working Group and adopted

by the Bureau at its second meeting, needs now to be finalized as early as possible. These recommendations require that:

- (a) The membership should be kept as small as possible and that the committees should be composed primarily of experts in the relevant subject areas, in accordance with Conference resolution 1/1, section IE, paragraph 7.
- (b) The invitation of the relevant United Nations agencies/organizations to meetings of the committees should be assured by the secretariat.
- (c) Attention should be given to ensuring co-ordination and complementarity between the committees and relevant existing bodies.

58. Also, as recommended by the Inter-agency Working Group, there will be a need for close co-ordination and complementarity between the committees and relevant existing bodies. In this connection, the secretariat is preparing a comprehensive inventory of on-going activities by such bodies for use by the committees.

59. Another point to be borne in mind in the composition and operation of the committees is the importance of continuity. Where the chairmen, who are ministers, are for any reason, unable to carry out any of their normal functions personally, it should be possible for their vice-chairmen to provide the necessary support. For this reason, very close contact should be maintained between the chairmen and vice-chairmen, who will normally be eminent experts.

60. As regards the organization of meetings, many of the problems faced by the committees are similar to those already referred to in the case of the networks and the remedies indicated in the latter case apply, "mutatis mutandis", to the committees.

The Bureau

61. The Bureau has certainly functioned well, a fact which presumably has led to the second session of the Conference to ask the present Bureau to remain in office until the third session. However, there are still possibilities for further strengthening the links between the Bureau and member States of the Conference. The secretariat is making provision to facilitate such contacts.

62. When the composition of the Bureau was initially determined, due account was taken of equitable geographical distribution within the region on the understanding that this would enable the members of the Bureau to maintain relatively

easy contact with their counterpart ministers within their respective subregions for the purpose of implementing the Cairo Programme.

63. This idea has, in fact, been put to practical use on more than one occasion in the past. It is considered that its more regular use could help to ease the existing communications barriers in the region and enable the objectives of the Cairo Programme to be kept more strongly alive in the countries of the five subregions.



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Fifth meeting of the Joint Inter-governmental
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Addis Ababa, Ethiopia, 13-17 February 1989

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Report on the ratification and accession to international
and regional environmental agreements with particular
emphasis on conservation of tropical forests and
their implementation by member States

I. INTRODUCTION

1. Since the Stockholm conference on the environment (1972), there has been an increased global awareness of the need for more organized strategies for ensuring sustainable development through international participation in sound environmental development management. Increasingly it has become part of different levels of international dialogue. This has been evident in the numerous international conventions relating to environmental legislation.

2. In 1980, the Economic Commission for Africa (ECA) organized a seminar for lawyers on the elaboration of environmental legislation in the region. The seminar dealt with various aspects of environmental legislation at the national level and made recommendations on how this could be strengthened. The seminar did not however deal with the issues of regional or international agreements and conventions on the environment.

3. The recent dumping of hazardous wastes in Africa has made it more urgent for member States to accede to and participate in the implementation of international conventions on the environment. It also brought to light the necessity to develop, where none exists regional agreements on the implementation of these international conventions on the environment. In this manner African countries will be in a better position, not only to take action against nationals who, in one way or another, participate in activities that are dangerous to the health of the nation, but can also turn to international recourse against those outside their territorial boundaries.

4. It is not only in the area of hazardous industrial wastes but also the international contribution to the depletion of Africa's natural heritage as represented by its wildlife, including the most valued tropical forests. International conventions and agreements exist, regarding the acquisition and export of these natural resources but most African countries have not placed these treaties and agreements as a priority for ensuring their application both regionally and internationally and, consequently, have not acceded to them.

5. This paper is based on the deliberations of an ad-hoc expert group meeting, held in Addis Ababa from 16-20 January 1989, on the situation of the development of environmental legislation in Africa with emphasis on regional and international agreements and conventions (see Annex I). It briefly reviews the situation and suggests some of the possible reasons for the lag in acceding to regional and international conventions on the environment by African countries.

II. BACKGROUND

6. Natural conditions in Africa are a paradox in themselves. In other words, Africa is endowed with some of the most luxuriant vegetation cover in the tropical world, producing some of the best timber and tropical crops. She receives the second highest annual rainfall in the world, next only to the Indian slopes of

the Himalayan mountains. Yet by the same token Africa is rapidly being depleted of these natural resources. As a general global strategy, conventions have been drawn up for the preservation of wildlife (flora and fauna). Some countries in the developed world have adopted measures that will help conserve these resources, by banning the import into their territory, of some of the species that are endangered. This is an encouragement for African countries to accede to related conventions indeed, negotiate for non-importation by "client" countries, of species that are identified as endangered in Africa.

7. The Register of International Treaties and Other Agreements in the Field of the Environment, published by UNEP, gives a list of 112 treaties and conventions relating to the environment. Forty-eight of them deal with treaties that are open to all members of the United Nations or independent states and seventy are of a regional nature. 1/

8. Of the seventy treaties and conventions that are of a regional nature, eighteen concern either the whole of Africa or part of it. If the forty-eight that are of a general nature, that is open to all countries, are added to the forty-eight, the result is, sixty-six treaties and conventions that the member States of ECA are expected to sign and implement. The rate of accession to the sixty-six are as follows:

<u>No. of countries signed</u>	<u>%</u>	<u>No. of treaties/conventions</u>
1. No ECA member State	0	12
2. 1 - 5	1 - 10	22
3. 6 - 10	11 - 20	13
4. 11 - 20	21 - 40	7
5. 21 - 30	41 - 60	3
6. 31 - 50	above 60	2
7. All concerned (restricted conventions)		7
		<u>66</u>
		=====

9. The treaties/conventions which have not been signed by any of the ECA member States include:

- 1) The international convention for the protection of Birds (Paris, 1950)

1/ UNEP/CC/INFORMATION/11/REV.1 (UNEP, Nairobi, May 1985).

- ii) The Agreement Concerning Co-operation in the Quarantine of Plants and their Protection Against Pests and Diseases (Sofia, 1960)
- iii) The Convention on Third Party Liability in the Field of Nuclear Energy (as amended) (Paris, 1960)
- iv) The Convention Supplementary to the Paris Convention on Third Party Liability in the Field of Nuclear Energy (as amended) (Brussels, 1963)
- v) The Optional Protocol Concerning the Compulsory Settlement of Disputes (Vienna, 1963)
- vi) The Agreement Concerning Co-operation in Marine Fishing (Warsaw, 1962)
- vii) The Convention for the International Council for the Exploration of the Sea (as amended) (Copenhagen, 1964)
- viii) The Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircrafts, (as amended) (Oslo, 1972)
- ix) The Convention for the Prevention of Marine Pollution from Land-based Sources (Paris, 1974)
- x) The Agreement on an International Energy Programme (Paris, 1974)
- xi) The Agreement Concerning the Protection of the Waters of the Mediterranean Shores (Monaco, 1976)
- xiii) The Convention on Civil Liabilities for Oil Pollution Damage Resulting from Exploration for and Exploitation of Sea-bed Mineral Resources (London, 1977).

10. The other category of conventions which have been signed by all concerned are all subregional ones which involve the management of shared ecosystems and natural resources. They include:

- i) The Agreement for the Establishment of a General Fisheries Council for the Mediterranean (as amended) (Rome, 1949). This Agreement has been signed by the five North African countries concerned (Algeria, Egypt, Libya, Morocco and Tunisia).
- ii) The Convention Concerning the Status of the Senegal River, and Convention Establishing the Senegal River Development Organization (as amended) (Nouakchott, 1972). Mali, Mauritania and Senegal have all signed it.

- iii) The Convention Establishing a Permanent Inter-State Drought Control Committee for the Sahel (Ouagadougou, 1973). Burkina Faso, Chad, Mali, Mauritania, Niger and Senegal have all signed.
- iv) The Convention for the Protection of the Mediterranean Sea from Pollution (Barcelona, 1976). The concerned countries, namely, Algeria, Egypt, Libya, Morocco and Tunisia have all signed.
- v) The Protocol for the Protection of the Mediterranean Sea by Dumping from Ships and Aircrafts (Barcelona, 1976). The concerned African countries, namely, Algeria, Egypt, Libya, Morocco and Tunisia have signed.
- vi) The Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency (Barcelona, 1976). Algeria, Egypt, Libya, Morocco and Tunisia, who are concerned have signed.
- vii) The Convention Creating the Niger Basin Authority and Protocol Relating to the Development Fund of the Niger Basin (Faranah, 1980). Benin, Burkina Faso, Cameroon, Cote d'Ivoire, Guinea, Mali, Niger and Nigeria being the countries concerned have all signed.

11. Of this category of conventions which have been signed by all those concerned, the following are entirely between member States and pertain to specific shared resources:

- a. The Convention concerning the Status of the Senegal River, and Convention Establishing the Senegal River Development Organization (as amended) (Dakar, 1972). Mali, Mauritania and Senegal have all signed it.
- b. The Convention Establishing a Permanent Inter State Drought Control Committee for the Sahel (Ouagadougou, 1973). Burkina Faso, Chad, Mali, Mauritania, Niger and Senegal have all signed.
- c. The Convention Creating the Niger Basin (Faranah, 1980). Benin, Burkina Faso, Cameroon, Cote d'Ivoire, Guinea, Mali, Niger and Nigeria being the countries concerned have all signed.

12. Of the treaties and other agreements that have the lowest rates of accession, that is 10% or less, it is important to note that the International Tropical Timber Agreement (Geneva, 1983) has been signed only by Gabon and Liberia. Worse still, the phyto-Sanitary Convention for Africa (Kinshasa, 1967), of which the OAU is depositary, only nine countries have so far signed.

This Convention aims at controlling and eliminating plant diseases in Africa and preventing the introduction of new diseases.

13. After having reviewed the situation of the non or low participation of African countries in signing regional and international agreements and conventions on the environment, the expert group meeting came to the conclusion that inadequate awareness of environmental issues was at the root of the problem. Due to this awareness problem environmental problems were not considered as one of the priorities in social and economic development planning and related legislative and administrative mechanisms for programme implementation.

14. There was the need for intensive sensitization and programmes developed at the level of training and research institutions to cater for the development and strengthening of national institutional and manpower capabilities in the area of environmental legislation.

15. Having reviewed the situation as outlined above, the meeting identified four areas of action, namely, activities to:

- a) Create awareness to influence policy in favour of environmental legislation which would in turn influence member States to accede to regional and international agreements and conventions on the environment.
- b) Enhance the development and strengthening of institutional and manpower capabilities in order to facilitate the implementation of environmental policies and legislation.
- c) Create public awareness that would influence the development and implementation of environmental legislation at national, subregional, regional and international levels.
- d) Encourage the incorporation of environmental considerations into treaties for subregional and regional groupings of member States.

16. It was, therefore, recommended that:

- a) a comprehensive study be carried out, by ECA, on the state of environmental legislation in a selected number of member States, with specific emphasis on the problems of acceding to regional and international agreements and conventions, with the view of developing guidelines on the incorporation of environmental clauses into treaties for regional co-operation and accession to international agreements and conventions on the environment.

- b) annual seminars on environmental legislation and review of the status of the implementation on regional and international agreements and conventions on the environment in Africa;
- c) seeing that environmental problems vary with time and the level of the sophistication in technological advances, an expert group meeting be held in 1981/1982 to review the status of environmental legislation in Africa with specific emphasis on the problems of accession to and application of regional and international agreements and conventions on the environment with the view to making recommendations to member States.

IV. CONCLUSIONS

17. The Joint Committee is being called upon to consider the recommendations drawn by the Ad-hoc expert group meeting.

ANNEX I

Report of the Ad-Hoc expert group meeting on the
development of environmental legislation
in Africa with specific reference to
regional and international agreements and conventions
Addis Ababa, Ethiopia, 16 - 20 January 1989

I. INTRODUCTION

1. The Ad-hoc expert group meeting on the development of environmental legislation in Africa with specific reference to regional and international agreements and conventions was held in Addis Ababa from 16 to 20 January 1989. The purpose of the meeting was to discuss the situation of the development of environmental legislation in Africa, with specific emphasis on regional and international agreements and conventions. The meeting was also to develop strategies and a programme framework for assisting member States in acceding to regional and international agreements and conventions on the environment.

II. ATTENDANCE OF THE MEETING

2. The meeting was attended by experts from Egypt, Kenya, Nigeria and Tanzania (See Annex I).

III. OPENING OF THE MEETING

3. Dr. Peter Mwanza read the statement from the Executive Secretary of ECA to the meeting. In it, he welcomed the participants to the Headquarters of the Economic Commission for Africa (ECA) to participate in the Ad-hoc expert group meeting on the development of environmental legislation in Africa. He pointed out that this was the second meeting of this kind, the first one having been held in 1982. The first meeting, he said, dealt with various aspects of environmental legislation at the national level. It did not deal with the issues of regional or international agreements and conventions on the environment which was the subject of this second meeting.

4. The organization, by ECA, of this second ad-hoc expert group meeting to deal specifically with regional and international agreements and conventions on the environment, he emphasized, underscored the importance that ECA attaches to environmental legislation, not only at the national level but at the regional and international levels. This was because most environmental problems were transboundary in nature, requiring concerted action by all the countries of the world.

5. Recent events of an environmental nature such as the dumping of hazardous wastes in Africa and the increased rate of the depletion of the continent's natural heritage for personal wealth through poaching for export, he pointed out, had re-emphasized the urgency for the development and implementation of agreements and conventions that were aimed for the African environment and its natural resources.

6. These events he continued, had also highlighted the urgency for including environmental consideration as an integral component of the conditions for relations, both between member States and with the rest of the international community. It was evident, therefore, that African countries had not as yet attached the desired priority to the development, ratification and implementation of regional or international agreements and conventions on the environment.

7. Statistics revealed he reiterated that the state of the ratification, by member States, of treaties and conventions on the environment was indicative of a serious situation of non or very low ratification.

8. The Executive Secretary underscored the fact that one of the conventions that had not been acceded to by any member State of ECA was that for the prevention of marine pollution by dumping from ships and aircrafts (1972), when the dumping of hazardous wastes in some West African countries had lead the Organization of African Unity (OAU) and the Economic Community of West African States (ECOWAS) to adopt resolutions banning these and related activities. Yet there was still the need for individual countries to ratify related conventions to facilitate international recourse in case of environmental damage.

9. Encouragingly, there are a number of these agreements and conventions which have been signed by all African countries directly concerned are all subregional ones involving the management of contiguous ecosystems and natural resources.

10. Where there had been response in ratifying these treaties, he said, it had, usually been very low. This was why ECA thought it important to call the meeting so as to have experts review the situation and come out with suggestions as to how the problem could be tackled.

11. He concluded that, as experts, participants were supposed to propose strategies and a programme of action which will help ECA in assisting member States to attach the needed priority to regional and international agreements and conventions and accede to them. This was important, he said, since Africa had no choice but to operate in the international economic situation in which these environmental treaties and agreements had been conceptualized. To ensure sustainable development, she must, therefore, organize herself accordingly.

Agenda item 2: Election of the bureau

12. The meeting decided that, since this was a small group meeting, there was no need for a full bureau and that only a chairman was needed and the secretariat would assume the role of rapporteur. Dr. John A. Techa of Tanzania was elected as Chairman.

13. The following agenda was adopted:

- i) Opening of the meeting
- ii) Election of the Bureau
- iii) Adoption of agenda and programme of work
- iv) Consideration of the background paper prepared by the secretariat, document E/ECA/ENV/ADHOC/89
- v) Development of strategies and a programme of action to assist member States in acceding to regional and international agreements and conventions on the environment
- vi) Other matters
- vii) Adoption of report
- viii) Closure of meeting

Agenda item 4: Consideration of the background paper prepared by the secretariat document E/ECA/ENV/ADHOC/89

14. A representative of the secretariat presented to working document entitled the situation of the development of environmental legislation in Africa: regional and international agreements and conventions. In his presentation he said that the purpose of the paper was to orient discussions of the general issues of the low rate of accession by member States of ECA to regional and international agreements and conventions on the environment. He pointed out that the issues have been summarized in the annotated agenda, but the secretariat wished to be guided by the experts on what strategies to initiate in order to sensitize member States to the problems of non-accession to the treaties and conventions on the environment.

15. The order of discussions suggested in the annotated agenda, he said, would, therefore, help the meeting in developing strategies and a programme of action to assist member States in acceding to regional and international treaties and agreements and conventions on the environment, as soon as possible, particularly those that had direct bearing on member States.

16. The Chairman then conducted the discussion on this agenda as follows:

- i) Environmental legislation as a policy issue in sub-regional and regional programmes

17. After discussion on environmental legislation as a policy issue in sub-regional and regional programmes, the meeting concluded that the difficulty that environmental legislation faced in Africa so far had been the lack of environmental consciousness at the policy level. There had been hardly any consistent policies

to guide decision-making at all levels, be they national, subregional, regional or international.

13. As a result of this lack of environmental consciousness at the policy level, environment was not considered by them as a priority concern deserving integration into national social and economic development planning. Even where there was an environmental machinery, that machinery, even if it were at the ministerial level was usually not given the legal and administrative framework to function effectively.

19. It was recognized that, for there to be effective sensitization at the subregional and regional levels concerning the importance of environmental legislation and its application at the regional and international levels, there must be strong national legislative systems that fully incorporate environmental dimensions into conditions for bilateral and multi-lateral relations. This would be based on the consideration of mutual self-interests.

20. It was also agreed that, due to the conditions of poverty and the high need for foreign exchange, some countries unscrupulously accepted the siting of industries and the trade in hazardous and potentially toxic materials without any consideration of their environmental impacts. Even where there were token environmental considerations, there was the problem of weak or non-enforcement of relevant legislation.

21. The same thing could also be said of technical and development aid, which were joint ventures of one sort or another. They should also be negotiated catering for the environmental interests of both parties. Monitoring mechanisms should then be built into the implementation of such programmes to ensure that the conditions are respected.

22. The meeting then recommended that, to ensure that environmental considerations become part of policy in all forms of agreements and treaties between countries, there was the need to:

- a) develop a mechanism for sensitizing the policy and decision makers to environmental management and related environmental legislation;
- b) promote legislation at national level that will reflect both national and international concerns in environmental management and legislation;
- c) develop national training programmes in the area of environmental legislation and administration that would sustain environmental awareness including its international implications.

- d) promote public awareness not only on environmental concerns per se but on the juridical implications and the use of the law in sustainable environmental management and development.

ii) Environmental legislation as a social issue in regional and international relations

23. After discussion, the meeting agreed that the development of environmental legislation could be greatly influenced by public reaction to the mismanagement of the environment by developers. This public reaction could be manifested by environmental pressure groups which, in themselves, would be significant indicators of public awareness of the environment problematique. This would, therefore, lead to a more deliberate enforcement of environmental legislation at the national level and a more effective drive to the accession to regional or international conventions on the environment.

24. Environmental pressure groups could even be of international proportions such as the Green Peace and similar groups, or take on political dimensions, being part of national political discussion: the Green Party in Germany was an example.

25. Beginning at the national sub-regional and regional levels, every fora of discussion of issues that would have environmental implications should then be used to sensitize the international community on their role in observing those conventions on the environment that, directly or indirectly, affect the African environment.

26. Seeing the urgent need to promote public awareness and interest in environmental management, sensitizations programmes should be launched or enhanced. This would serve as a sound basis for the development and implementation of environmental legislation at national, subregional, regional and international levels.

27. The meeting, therefore, recommended that strategies be developed to increase public awareness of environmental issues in all the sectors of development and all aspects of international relations.

iii) Institutional framework for environmental legislation specific reference to sub-regional and regional groupings

28. To be able to cope with the momentum in the current increase of environmental problems, Africa must develop the appropriate environmental institutions that will freely initiate related national legislation as well as the required co-operation in international environmental management which, in itself was an exercise to the joint venture of international relations.

29. It was agreed by the meeting that environmental management machineries in member States were not structured to fully cater for all aspects of environmental management and administration. Where they existed, either as Ministries of the Environment or other department of government, they did not have the necessary authority to implement their mandates as environmental "watch dogs" and co-ordinators on environmental matters.

30. National environmental machineries were often located at the same level as the ministries and/or departments, and were subjected to inter ministerial/departmental overlaps in activities. This usually made the effective administration of environmental management difficult. It was recognized that effective implementation of environmental legislation depended on authority of the environmental institution in the given country. This was even more important when it came to the initiatives to accede to regional and international agreements and conventions on the environment.

The meeting agreed that for an environmental management institution to have the effective support of the legislative and administrative institutions, it must itself have direct access to the highest governmental authority. They must also be structured to cater for specialization in all the sectors of the development and utilization of resources for sustainable social and economic development. Any international co-operation, particularly for environmental legislation, must therefore take into account the strength of the institutions to handle the tasks involved.

iv) International conventions and agreements related to the conservation of natural resources

32. Participants expressed the concern that the majority of members States have not acceded to all the regional and international conventions and agreements dealing with the conservation of natural resources despite the fact that they constitute the backbone of their existence.

33. The meeting also agreed that African economies were largely dependent on the exploitation of renewable and non-renewable natural resources, particularly for agriculture. The conservation of the renewable natural resources and the judicious exploitation of the non-renewable ones, should have been a priority concern. Consequently, they should have attached prime importance to national legislation and international agreements and conventions that seek to conserve the natural environment. Signing of related conventions and their enforcement would, therefore, safeguard against the persistent depletion of these resources either by national or international merchant bodies. Legal mechanisms must, therefore, be strengthened to be able to handle this aspect of environmental concerns.

34. Strong concern was expressed by the participants that no member State had acceded to the following international conventions and agreements although they dealt with the preservation, development and use of the natural resources on which Africa depended so much.

- i) The international convention for the protection of Birds (Paris, 1950)
- ii) The Agreement Concerning Co-operation in the Quarantine of Plants and their Protection Against Pests and Diseases (Sofia, 1960)
- iii) The Convention on Third Party Liability in the Field of Nuclear Energy (as amended) (Paris, 1963)
- iv) The Convention Supplementary to the Paris Convention on Third Party Liability in the Field of Nuclear Energy (as amended) (Prussels, 1963)
- v) The Agreement Concerning Co-operation in Marine Fishing (Warsaw, 1962)
- vi) The Convention for the International Council for the Exploration of the Sea (as amended) (Copenhagen, 1964)
- vii) The Agreement on an International Energy Programme (Paris, 1974)
- viii) The Agreement Concerning the Protection of the Waters of the Mediterranean Climes (Geneva, 1970)
- ix) The Convention on Civil Liabilities for Oil Pollution Damage Resulting from Exploration for and exploitation of Sea-bed Mineral Resources (London, 1977).

35. It was also agreed, with disappointment, that very few countries had signed the following conventions and agreements dealing with natural resources conservation

- a) The Convention relative to the Preservation of Fauna and Flora in their Natural State (London, 1933). Only Egypt, Sudan and Tanzania have signed.
- b) The Convention for the Establishment of the European and Mediterranean Plant Protection Organization, as amended (Paris, 1951). Only Algeria and Morocco have signed.

- c) The Phyto-Sanitary Convention for Africa (Kinshasa, 1967). Benin, Central African Republic, Egypt, Ethiopia, Lesotho, Morocco, Niger, Rwanda and Togo have signed.
- d) The Convention on the Conservation of the Living Resources of the South east Atlantic (Rome, 1962). Only Angola is party to it.
- e) The Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979). Only Cameroon, Egypt and Niger have signed.
- f) The International Tropical Timber Agreement (Geneva, 1983). Only Gabon and Liberia have signed.

36. The meeting recommended that a sensitization ~~campaign~~ be carried out by the ECA in collaboration with UNEP, other relevant specialized agencies of the United Nations system such as UNESCO, FAO, ILO, UNIDO and the IAEA as well as the Organization of African Unity to ensure the ratification by African countries of these treaties and agreements. African countries should also strengthen legislative and administrative measures to stop the illegal trade in these resources.

v) International Conventions and agreements related to Pollution control

37. The meeting agreed that many of the conventions that had not been signed by many member States were those dealing with pollution control, particularly the dumping of hazardous wastes from ships and aircrafts. This was an area of transboundary activities which should come into consideration in all terms of reference in international relations. Participants expressed concern at the non or low participation by member States in these conventions and agreements, specifically, the following:

- i) The Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircrafts, (as amended) (Oslo, 1972). No member State has signed.
- ii) The Convention for the Prevention of Marine Pollution from Land-based Sources (Paris, 1974). No member State has signed.
- iii) Amendments to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, Concerning Tank Agreements and Limitation of Tank Size (London, 1971). Only Algeria, Cote d'Ivoire, Liberia and Tunisia have signed.
- iv) The Convention Concerning the Protection of Workers Against Ionizing Radiation, (Geneva, 1960). Only Djibouti, Egypt, Ghana and Guinea have signed.

- v) The Vienna Convention on Civil Liabilities for Nuclear Damage (Vienna, 1963). Cameroon, Egypt and Niger have acceded to it.
- vi) The International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (Brussels, 1969). Cameroon, Gabon, Ghana, Liberia, Morocco, Senegal and Tunisia have acceded to this convention.
- vii) The Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil (London, 1973). Only Liberia and Tunisia have signed this convention.
- viii) The International Convention for the Prevention of Pollution from Ships (London, 1973). Only Kenya and Tunisia have acceded to it.

33. The meeting also recommended that a sensitization campaign should be carried out by the ECA in collaboration with UNEP, other relevant specialized agencies of the United Nations system such as UNESCO, FAO, ILO, UNIDO, and the IAEA as well as the Organization of African Unity to ensure the ratification by African countries of these treaties and agreements. African countries should also strengthen legislative and administrative measures to stop the illegal trade in these resources.

Agenda item 5. Development of strategies and a programme of action to assist member States in acceding to regional and international agreements and conventions on the environment

33. The meeting, having reviewed the situation as stated in the preceding paragraphs, came to the conclusion that environmental management as a concept was not as yet integrated into social and economic planning in Africa because of the lack of awareness of the issues involved. Environmental concerns were usually of the lowest priority in development planning. The explanation lay in the fact that the negative impacts of development activities on the environment was usually not immediately apparent. They often emerged after a long time when they must have attained irreversible proportions. For this reason, environmental considerations were not usually part and parcel of initial programme planning or the development of legal instruments.

40. Lessons should have been learnt from the industrially more advanced economies which had experienced the negative environmental impacts of industrialization on the physical environment and had, therefore, made laws to protect themselves and their environment from the negative impacts, and from the

possibility of effects of any environmental degradation whose source was elsewhere outside their territory.

41. With the exposure to the development and life styles of the industrially more advanced economies, African countries had also taken on the industrialization patterns of those countries. Unfortunately, African policy makers and planners had not yet imbibed the consciousness of the environmental considerations that these development patterns implied. They seldom, therefore, sought the advice, either from the environmentalists or their legal colleagues, on the procedures for handling programmes that have environmental implications. Consequently, most of the pollution and health hazards to which African populations and their highly fragile ecosystems were exposed were usually not catered for during the stages of programme development, implementation, programme management, monitoring and evaluation.

42. The meeting identified four areas of action; namely, activities to:

- a) Create awareness to influence policy in favour of environmental legislation which would in turn influence member States to accede to regional and international agreements and conventions on the environment;
 - b) Enhance the development and strengthening of institutional and manpower capabilities in order to facilitate the implementation of environmental policies and legislation;
 - c) Create public awareness that would influence the development and implementation of environmental legislation at national, sub-regional, regional and international levels;
 - d) Encourage the incorporation of environmental consideration into treaties for sub-regional and regional groupings of member States.
- a) Policy issues

43. In order to influence policy in favour of environmental legislation which would in turn influence the accession to regional and international agreements and conventions on the environment, the meeting reiterated the need for the sensitization of policy makers, law makers and law enforcement agents in member States. Additionally, training at the level of institutions, seminars and workshops, even study tours, should be organized for policy-makers, decision-makers and legal experts so that they can be exposed to the impacts of the non-application of relevant environmental legislation.

44. The meeting proposed the incorporation of clauses dealing environmental considerations into treaties for the development and utilization of shared resources such as lake and river basins to cater for any transboundary or "down stream" environmental problems.

45. To adequately cover legislation in all areas, a sectoral approach was recommended, calling for an environmental policy on all the sector of development of natural resources and industrialization and the conservation of wildlife. These include:

- a) Agriculture - the use of agricultural chemical and soil degradation control
- b) Forestry - the exploitation and movement of forest products
- c) Water resources including marine resources, marine pollution control and coastal environmental management
- d) Wildlife conservation on land and in the sea
- e) Mineral resource exploitation and the rehabilitation of mining sites
- f) Pollution control:
 - i) industrial location with regard to its effluents
 - ii) transboundary movement and use of potentially toxic materials
 - iii) transboundary movement and dumping of hazardous wastes by any mode of transportation
 - iv) air pollution control including emissions from motor vehicles, air and sea crafts and industry etc.

46. It was recognized that regional and international agreements and conventions on all the areas identified above already existed. However, there was the need to review them periodically to see which ones were adequate and which ones were not with the view to updating them.

b) Institutional and manpower development

47. The meeting was of the consensus that any international co-operation, particularly for environmental legislation, must be backed by strong national, sub-regional and regional mechanisms, capable of monitoring the adherence to regional and international agreements and conventions on the environment.

48. Given to the structure of most governments where there was often overlapping of mandates, the possibility should be explored of developing and strengthening national environmental machineries which would effectively serve

as the "watch dog" on environmental matters, including the observance of regional and international agreements and conventions on the environment. They must be a multi-sectoral and inter-disciplinary institutions with direct access to the highest authority of government. They would then stand out of the inter-ministerial/departmental rivalries that would otherwise confront it.

Manpower development

49. The meeting recognized the need for trained manpower in the fields of environmental management and environmental legislation to ensure that development activities are not carried out to the irreversible detriment of the environment.

50. The meeting recommended in-service training and refresher courses for policy-makers, decision-makers and legal experts on the development and implementation of regional and international agreements and conventions on the environment.

51. It was also recommended that environmental law should be introduced at the university level so as to develop a core of legal personnel that was fully aware of the legal implications of the environmental impacts of development and environmental considerations in all aspects of international relations.

Creation of public awareness

52. Participants agreed that the greatest resource for the implementation of environmental management programmes was the people. The population must be sensitized, through education, of the objectives of the programmes they were requested to participate in. The pressure group concept that was earlier alluded to depended on how knowledgeable the population was, about the environmental risks to which they were being exposed and which would render their environment less safe for normal human existence.

53. The people should be made aware of transboundary environmental issues must be intensified, particularly to acquire the participation and commitment of the masses in the implementation of agreements and conventions on the environment.

Incorporating environmental considerations into existing treaties for sub-regional and regional co-operation

54. The meeting acknowledged the fact that sub-regional and regional co-operation had always, and rightly so, been based on mutual self-interests and self-reliance as expressed in the Lagos Plan of Action. Treaties for inter-African co-operation must, therefore, include a framework for environmental management. To be able to cope with the current environmental problems and the international momentum to tackle them, Africa must develop the necessary legislative and administrative framework to cope with it.

55. The meeting recommended that a review be carried out of the existing treaties, African sub-regional and regional groupings, with the view to incorporate environmental dimensions into them.

A programme of action for assisting member States to accede to regional and international agreements and conventions on the environment

56. After having reviewed the situation of the non- or low participation of African countries in signing regional and international agreements and conventions on the environment, the meeting came to the conclusion that inadequate awareness of environmental issues was at the root of the problem. Due to this awareness problem, environmental problems were not considered as one of the priorities in social and economic development planning and related legislative and administrative mechanisms for programme implementation.

57. There was the need for intensive sensitization and programmes developed at the level of training and research institutions to cater for the development and strengthening of national institutional and manpower capabilities in the area of environmental legislation.

58. It was, therefore, recommended that:

- a) a comprehensive study be carried out, by ECA, on the state of environmental legislation in a selected number of member States, with specific emphasis on the problems of acceding to regional and international agreements and conventions, with the view of developing guidelines on the incorporation of environmental clauses into treaties for regional co-operation and accession to international agreements and conventions on the environment.
- b) annual seminars on environment legislation and review of the status of the implementation on regional and international agreements and conventions on the environment in Africa.
- c) seeing that environmental problems vary with time and the level of the sophistication in technological advances, an expert group meeting be held in 1991/1992 to review the status of environmental legislation in Africa with specific emphasis on the problems of accession to and application of regional and international agreements and conventions on the environment with the view to making recommendations to member States.

Agenda item 6. Other matters

59. No other matters related the subject of the meeting which might not have been included on the agenda were raised.

Agenda items 7 and 8. Adoption of report and closure of meeting

60. The meeting considered its report, made necessary amendments and adopted it.

61. In his closing remarks, the Chairman thanked the participants for their contributions to the discussion of the different items of the agenda. He hoped that the problem areas identified by the meeting in the field of accession, by member States, to regional and international agreements and conventions on the environment as well as the strategies and action programmes, would be used by the secretariat in assisting member States to handle the problem.

62. The representative of the secretariat, Dr. Peter N. Mwanza, in his closing remarks, expressed the gratitude of ECA to the experts for having accepted the invitation to participate in the ad-hoc expert group meeting. He was particularly happy with the level of discussion and the propositions that the meeting had made ECA to follow-up on. He concluded that ECA will not hesitate to call on the experts for help in this area of environmental legislation when the need arises.

63. The meeting closed at 1900 hours on 20 January 1990.

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ECONOMIC COMMISSION FOR AFRICA

Fifth meeting of the Joint Inter-governmental
Regional Committee on Human Settlements and Environment

Addis Ababa, Ethiopia, 13-17 February 1980

Report on the progress in the establishment
of the African Centre of Meteorological Applications
for Development (ACMAD)

LC/NA/1091

I. INTRODUCTION

1. At the inaugural meeting of the Board of Governors of the African Centre of Meteorological Applications for Development (ACMAD) in Niamey, Republic of Niger, 12-14 April 1988, the following activities for the pre-implementation phase of the Centre were scheduled for 1988/1989.

- i) the finalization of the Centre's programme document by June 1988.
- ii) the distribution of the programme document to donors and interested organizations - as of June 1988.
- iii) issuance of vacancy notice for the post of Director-General of the Centre - June 1988.
- iv) donors meeting - October 1988.
- v) drawing up of a budget for the Centre - October 1988.
- vi) second meeting of the Board of Governors - November 1988.
- vii) appointment of the Director-General - November 1988.
- viii) assumption of duty by the Director-General, signature of the host country agreement and taking over of the Centre's infrastructure and other facilities by the Director-General - January 1989.
- ix) recruitment of staff, development of work programme and other operational activities for the Centre - as of January 1989.
- x) installation of technical facilities, connection of GTS, reception, transmission and DP facilities as defined in the Programme Document by consultants as well as parallel arrangements for the improvement and strengthening of national and relevant regional capabilities - first half 1989.
- xi) development of a minimum set of products and testing their distribution.

2. By its resolution 651(XVIII) of 18 April 1988 on Resources for the African Centre of Meteorological Applications for Development (ACMAD), the ECA Conference of Ministers requested the Executive Secretary of the Commission, in close collaboration with the Secretary-General of WMO, to continue to carry out all the necessary activities to make the newly established Centre operational.

II. IMPLEMENTATION

3. Since the inaugural meeting of the Board of Governors of the African Centre of Meteorological Applications for Development (ACMAD) and adoption of resolution 651(XXIII) on the resources or making the Centre operational, by the ECA Conference of Ministers, ECA and WMO have continued to work very closely in mobilizing member States and the international community to support the Centre financially and otherwise.

4. In implementing the recommendations of the Board and resolution 651(XXIII), the time-table as suggested by the Board could be strictly kept due to resources constraints and the difficulty in recruiting consultants to work on the programme document for the Centre. However, the following activities were carried out:

- A. Finalizing the draft of ACMAD Programme Document including the estimation of the resource requirements and the modalities for the mobilization of resources from member States as well as the job description and recruitment of the Director-General

5. The final draft of the Programme Document is ready for submission to the next meeting of the Board of Governors for approval. A copy has been made available to participants for information.

- B. Economic Benefits of ACMAD

6. At the first meeting with the donors at the technical level in February 1983, the need for a statement as to the economic benefits of ACMAD were expressed by the representatives of the funding agencies. This was conveyed to the Board of Governors which also saw the need for this as it would encourage investment in the Centre, both from member States and, particularly, the donors and funding agencies.

7. With the assistance of UNDP, consultants were hired to put together a first draft which would then be reviewed by ECA, WMO and FAO. The general impression of the consultant's report, after its first review by ECA and WMO, was that it did not bring out clearly the economic benefits of the Centre. Comments on the document are being received from the collaborating agencies for revising the document in time for the donors meeting and the meeting of the Board of Governors.

- 1) Resources for making ACMAD operational

8. The estimates for the resource needs of ACMAD during the initial phase, unto 1993 are shown in the Programme Document. However, in view of the fact that there were no intermediate salary scales between those proposed at the first Board meeting and UN scales, that are in force in any other ECA-sponsored institution, those already discussed at the last meeting were adopted and used in advertising the post of Director-General for the Centre.

9. As regards the modalities for mobilizing resources from member States for ACMAD, it was decided that a letter should be written to member States, requesting them to implement resolution 651(VIII) on the "Resources for ACMAD". This letter was sent to member States. Immediate reaction on the part of member States is very important as this will influence:

- a) the recruitment of the Director General
- b) to demonstrate to potential donors the commitment of member States to the establishment of the Centre.

10. UNDP had agreed in principle, to extend the funding of the preparatory assistance project to cover the servicing of the donors meeting and the second meeting of the Board of Governors excepting the participation of member States, as was the case with the inaugural meeting of the Board of Governors of the Centre. Member States will have to bear the cost of their participation in the Centre, such as the attendance of meetings of its legislative organs.

ii) Job description and recruitment of the Director General

11. The job description for the Director General of the Centre was finalized and most advertised, using the scales in the Staff Rules and Regulation of ACMAD, as approved at the last Board of Governors meeting the post be advertised with immediate effect. The deadline for receiving applications was suggested as 15 February 1980. Shortlisting will be done immediately thereafter and presented to a selection committee to be chosen by the Board from among its members. It was further suggested that members with applicants from their countries should not be members of the selection committee.

iii) Follow-up on the ratification of the Constitution of ACMAD

12. Since the last meeting of the Conference of Ministers in April 1980, only three countries had either ratified or indicated that they were in the process of doing so. A full list of the countries that have ratified ACMAD's constitution including those which have indicated that they are in the course of doing so, is attached as Annex II.

13. Letters were sent to member States about resources for ACMAD and also requesting them to implement ECA resolution 651(VIII) by ratifying the constitution, if they had not yet done so, and paying their contributions.

14. It is recommended that the matter be fully discussed by the Joint Inter-governmental Regional Committee on Human Settlements and Environment scheduled at its February 1980 meeting and at the WHO technical meeting, also scheduled for February 1980.

C. Preparations for the second meeting of the Board of Governors

15. The suggestion is that the second meeting of the Board should be in Addis Ababa, 23-25 March 1980, just before the meetings of the Technical Committee of the Whole (TEPCOW) so that the report could then be submitted to TEPCOW for consideration and submission to the ECA Conference of Ministers, in April, 1980.

D. Preparations for the donors meetings

16. A consultative meeting was held, at the technical level, with potential donors in Geneva on 28 November 1978.

17. The meeting expressed satisfaction at the commendable preparatory work carried out in defining the objectives, outputs, activities, structure and the resources required for the establishment of the Centre. It noted with satisfaction the commitment of the African Governments as well as that of the Government of Niger, which has spared no effort in ensuring the early implementation of the Centre.

18. The meeting also noted that UNDP had funded the preparatory work while ECA and UNO had fully collaborated with FAO, UNEP and the World Bank in the preparation of the Programme Document for the Centre. It further noted that some of the donors had expressed strong interest in support of ACIAD and were considering how best to contribute in making it operational. It appealed to all donors for their support. The meeting further recommended that:

a) the Programme Document be updated by:

- i) incorporating the contributions of FAO and UNEP on their involvement with ACIAD.
- ii) including the statement of the World Bank on the relationship between ACIAD and ICOMA.
- iii) assigning priorities to the proposed activities of ACIAD and classifying the outputs according to the levels of application, namely, national, sub-regional or regional.

b) the Economic and Social Benefits Document be strengthened;

- c) a working agreement between ACIAD and CILSS be drafted in consultation with CILSS, ECA and UNO; this should serve as a model for other institutions with which ACIAD has working relations.

- d) the Board of Governors of ACIAD be approached regarding the joint management of the project by member States
- e) the donors (pledging) conference be convened following the finalization of the Programme and Benefits documents and further consultations with potential donors regarding their commitment to support the project.

III. CONCLUSION

19. The establishment of the African Centre of Meteorological Applications for Development has been very warmly received by the international community concerned with meteorology, agro meteorology, hydro-meteorology and other related disciplines. Donors and funding institutions have also shown a great deal of interest in providing financial assistance for making the Centre operational.

20. This interest at the international level can only be sustained if African member States participate actively in the operations of the Centre. The most important way of demonstrating this participation is by ratifying the constitution of the Centre and paying their contributions to it. Participants to the Joint Committee meeting should encourage their governments to do so. They should also inform suitable candidates about the vacancy notice annexed to this report.

ANNEX "I" VACANCY NOTICE

AFRICAN CENTRE OF METEOROLOGICAL APPLICATIONS FOR DEVELOPMENT
(A C M A D)

POST

Applications are invited from suitably qualified candidates for the post of Director-General, African Centre of Meteorological Applications for Development (ACMAD).

ACMAD is an ECA-sponsored institution established by its Conference of Ministers in 1987 to collect meteorological data, process and analyse it, make available information to users for application to agricultural production, water resources management and other human activities that depend on the weather and climate.

<u>GRADE</u>	D1 (ACMAD STAFF GRADE)
<u>DUTY STATION</u>	Niamey, Republic of Niger
<u>COMMENCEMENT OF DUTY</u>	1 July 1989
<u>DURATION</u>	Normal term of four years
<u>ORGANIZATIONAL UNIT</u>	African Centre of Meteorological Applications for Development (ACMAD).

DUTIES

The Director-General will be responsible for the overall management of the ACMAD Centre. He will have under his responsibility the team of experts working in the Centre.

Under the direction of the Board of Governors, the Director-General of the Centre will be responsible for the day-to-day operations of the Centre. He will, in particular, carry out the following duties as specified in Article 7 of the Constitution of the Centre. The Director-General shall be the chief executive of the Centre. In this capacity, he shall have the responsibility for:

- a) planning, organization and direction of the technical activities scientific research, training, advisory services and other activities of the Centre

- b) organization and administration of the Centre;
- c) submission for consideration to the Board of Governors, the work programme of the Centre;
- d) carrying out the activities of the Centre in accordance with the approved work programme and corresponding budget of the Centre;
- e) submission for the approval of the Board of Governors, annual reports on the activities and the accounts of the Centre;
- f) selection and appointment of staff other than those provided in sub-paragraph (k) of paragraph 7 of Article 5 of the Constitution of ACMAD, subject to the staff and administrative rules and regulations of the Centre and specific directives given by the Board of Governors;
- g) establishment and maintenance of such contacts with governments, the United Nations and its specialized agencies and other organizations or institutions as may be necessary or desirable for the achievement of the objectives of the Centre; and
- h) undertaking such other assignments or activities as may be determined by the Board of Governors.

QUALIFICATIONS

- a) Have at least an M.Sc degree in meteorology and/or in other related discipline such as agro-meteorology and hydro-meteorology.
- b) Have at least ten years experience in the management of technical and administrative functions within a national service, a major regional operation or within the framework of an international institution, all of scientific nature.
- c) Be familiar with operational and research activities in meteorology, meteorological and hydrological services and have demonstrated the ability for handling scientific programme of a multi-disciplinary nature;
- d) Have proven scientific ability as could be evidenced by published works in recognized scientific journals and demonstrate a broad understanding of atmospheric sciences.

LANGUAGES

An excellent knowledge of English or French and a working knowledge of the other.

ANNUAL SALARY

Initial net salary of US\$26,530, tax free.

POST ADJUSTMENT

As stipulated in the Staff Rules and Regulations of the Centre.

FAMILY ALLOWANCE

Spouse, US\$200 per year. Children, US\$150 per year, per child under 13 years of age and for a maximum of 6 children.

EDUCATION GRANT

Re-imbursal of total expenses upto a maximum of US\$2,500 per year and per child, upto 6 children.

HOUSING ALLOWANCE

A monthly housing allowance of US\$1,250 subject to Article 55 of the Staff Rules and Regulations.

INSTALLATION GRANT

As provided in the Staff Rules and Regulations of the Centre.

METHOD OF APPLICATION

Applications should be addressed to:

The Chairman,
Board of Governors of ACMAD
United Nations Economic Commission for Africa
P.O. Box 3001
Addis Ababa, Ethiopia

A copy should be sent to:

The Secretary-General
WHO
Case Postale No. 5
CH-1211 Geneva 20
Switzerland

Applications should reach the Chairman of the Board of Governors 1st March 1990.

For more information contact either:

The Executive Secretary
ECA
P.O. Box 3001
Addis Ababa, Ethiopia

The Secretary-General
WHO
Case Postale No. 5
CH-1211 Geneva 20
Switzerland.

ANNEX II

List of countries that have ratified the constitution of AGIAD or indicated that they are in the process of doing so:

<u>Country</u>	<u>Status</u>	<u>Dates</u>
1. Algeria	Member of Board of Governors - nominated Board member	13 February 1983
2. Burundi	Member of the Board of Governors - nominated Board member	7 January 1983
3. Cameroon	Accepted to be Board member of Board of Governors	
4. Chad	Sent an observer to the inaugural meeting of the Board	
5. Congo	Accepted to be member of the Board of Governors	
6. Egypt	Accepted to be member of the Board of Governors	
7. Ethiopia	Ratified	2 January 1987
8. Gambia	Sent an observer to the inaugural meeting of the Board	
9. Kenya	Accepted to be member of the Board of Governors and nominated member	
10. Madagascar	Accepted to be member of the Board of Governors and nominated member	
11. Malawi	Notified, they are working on it	12 June 1983
12. Mali	Sent an observer to the inaugural meeting of the Board of Governors	

ANNEX II
(contd.)

13. Niger	Ratified	7 March 1988
14. Nigeria	Ratified	22 March 1988
15. Senegal	Accepted to be member of the Board	23 December 1987
16. Tanzania	Notified that they are studying the constitution for ratification	
17. Togo	Notified that they are studying the constitution for ratification	10 February 1988
18. Tunisia	Ratified	12 April 1988



UNITED NATIONS
ECONOMIC AND SOCIAL COUNCIL



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ECONOMIC COMMISSION FOR AFRICA

Fifth meeting of the Joint Inter-governmental
Committee on Human Settlements and Environment

Addis Ababa, Ethiopia, 13-17 February 1989

LC/NAIROBI

Report on the implementation of the 1988/1989
Environment in Africa Work Programme and proposals
for the 1990/1991 biennium

I. INTRODUCTION

1. The 1981-1989 Environment in Africa work programme was developed within the framework of the 1984/1989 medium-term plan for the programme. This medium-term plan provided for the Development of Environmental Capabilities including Conservation of Resources and Pollution Control. Within this context, member States would be assisted in establishing institutional machineries to monitor environmental degradation and the impacts of human health and the development process as a whole. Member States would also be assisted in formulating legislation and in creating law enforcement mechanisms to monitor and regulate the rational development and utilization of natural resources for development. manpower development for environmental management would also be a component of the activities under this programme.

2. Within this framework, the Joint Inter-governmental Regional Committee on Urban Settlements and Environment would review the environment activities of member States as a response to the support of the Economic Commission for Africa (ECA) through the Environment in Africa Programme. A report will then be submitted by the Joint Committee to the Technical Preparatory Committee of the whole and the ECA Conference of Ministers.

3. For implementation purposes, four areas of activity were identified namely:

- a) technical co-operation for developing national environmental capabilities
- b) co-ordination of environmental activities within the Commission with UNEP and with other international organizations working on environmental problems in Africa
- c) environmental assessment and management relative to the impacts of development on natural resource utilization including pollution control and waste disposal and
- d) development of manpower capabilities and creation of environmental awareness through environmental training and education activities.

II. IMPLEMENTATION

1. Activities were carried out as outlined below:

- A) Technical co-operation for developing national environmental capabilities

2. The focus of activities under this programme element was on combating drought and desertification control. A report on this is contained in document E/ECA/ENV/55 which is submitted to the Joint Committee for discussion and recommendations on orientations for further activities.

6. It is important to note that drought and desertification have become one of the priority areas of environmental concern in Africa because they are among the key factors of the present social and economic crises now facing more than thirty four (34) of the fifty (50) member States of the Commission. This is clearly demonstrated in the activities of concerned sub regional intergovernmental organizations such as the Permanent Inter State Committee for combating drought in the Sahel (CILSS), the Inter governmental Authority and Drought and Development (IGADD) in the Horn of Africa, the Southern African Development Co-ordination Conference (SADCC) and initiative being undertaken by the Ministerial Conference on Desertification (COMIDES) and the Arid Land committee of the African Ministerial Conference on the Environment (AMCEN).

7. It is, however, important to point out two important situations which need serious consideration. Firstly most of the programmes/projects on the different aspects of combating drought and the process of desertification are not co-ordinated both nationally and inter organizationally. There is, therefore, the high possibility of duplication and waste of scarce resources.

8. The second situation is the inadequate emphasis on desert research. Document E/ECA/ENW/55 reviews the situation adequately and makes recommendations for possible actions for improvement.

9. In addition to the activities as reported in document E/ECA/ENW/55, the Commission has strengthened this component of the Environment in Africa Programme by providing resources for advisory services on drought and desertification control. These services are at the disposal of member States on request. It is hoped that member States will take full advantage of them.

B) Co-ordination of environmental activities within the Commission, with UNEP and with other international organizations working on environmental problems in Africa

10. The purpose of this programme element is to ensure that environmental considerations are taken care of in all the programmes of the Commission. Secondly, it is to ensure adequate co-ordination of the activities of all the agencies of the United Nations system as regards environmental matters in order to avoid the duplication of programmes and projects. This second aspect is co-ordinated by UNEP as the lead agency globally, on environmental matters. The most important co-ordination activities that the Environment in Africa Programme of ECA has participated in have been those of the Designated Officials on Environmental Matters (DOEM), which assures the co-ordination of cross-programming between the concerned agencies of the UN system with those of UNEP, through the System-Wide Medium Term Plan (SWMTP), and the Inter-agency Working Group on Desertification (IAWGD) which ensures a co-ordinated approach to the desertification control activities of the agencies.

11. One important aspect of co ordination has been in the implementation of relevant resolutions of the ECA Conference of Ministers and those of the United Nations General Assembly.

12. Regarding resolutions of the ECA Conference of Ministers, document E/ECA/ENV/53 on the progress in the establishment of the African Centre of Meteorological Applications for Development (ACMAD) is in response to resolution 651 (XXIII). Document E/ECA/ENV/61 is also required by resolution 645 (XXIII) on cyclone in the Indian ocean. This report has been prepared by WHO which was given the lead role by the Conference of Ministers.

13. As concerns resolutions of the UN General Assembly, document E/ECA/ENV/60 on the implementation of the recommendations of the World Commission on Environment and Development (WCED) was required by the General Assembly resolution 42/187 and, implicitly, resolution 42/188.

- C) Environmental assessment and management relating to the impacts of development on natural resource utilization including pollution control and waste disposal

14. Under this programme element two reports have been presented to the Joint Committee for consideration. They are

1. Document E/ECA/ENV/56 on the modalities for incorporating the Cairo Programme of the African Ministerial Conference on the Environment into on going national environment programmes and
2. Document E/ECA/ENV/57 on the development of environmental legislation ratification and accession to regional and international agreements and conventions on the environment.

15. In addition to these, two reports are being prepared for the Niamey and Lusaka-based MULOOCs on measures to mitigate environmental health and disease problems relating to drought and desertification. These reports will be presented at the next meetings of these MULOOCs.

16. Another report is being prepared for the ECA Conference of Ministers on the management of environmental degradation, particularly drought and desertification aspects, in the implementation of the African Priority Programme for Economic Recovery. This report will be presented to the next Conference of Ministers in April 1992.

17. Two technical publications were programmed for the biennium, namely

1. Environmental problems of underground water resources development in drought prone countries of Africa for agriculturists and environmental managers and
2. Pollution control and waste disposal problems in selected African countries a case study for the Industrial Development Decade in Africa for industrial planners and environmental managers 1992-1990.

18. Due to resource constraints for the biennium 1990-1991, these two publications are being reformulated for reprogramming and delivery during the 1990-1991 biennium.

19. The major problem that the secretariat has in implementing this programme element is the scarcity of relevant data on individual member States due to non response to correspondence sent out requesting information. A more serious problem is that, even when specific missions are sent out, it is difficult to collect the information because it is scattered in several government ministries and departments. This underscores the need for a central government institution for environmental matters which will serve as a focal point on all such matters.

D) Development of manpower capabilities and creation of environmental awareness through environmental training and education activities

20. Two main activities have been carried out under this programme element. The first one deals with the incorporation of environmental components into the programmes of ECA sponsored inter-governmental institutions. The second activity has been the servicing of seminar and study tours to China and to the Soviet Union. The reports have been made available to the Joint Committee for information.

21. In order to keep abreast of the state of the development of national manpower capabilities, a Directory of Environmentalists and list of institutions in Africa has been published (document E/ECA/ENV/39). This is a first issue and the entries are not as many as they should be because only very few responded to the questionnaires that were sent out. Members of the Joint Committee are requested to fill in the questionnaire at the back of the directory and return it to the secretariat, as indicated.

III. PROPOSITIONS FOR BIENNIUM 1990-1991

22. The Environment in Africa Programme proposes to submit the programme ideas outlined, to be considered for inclusion in the work programme of the UN secretariat for the biennium 1990-1991.

a) Objectives

23. The objectives of the proposed programme activities are:

- i) Inter-governmental objective
 - a) to establish national sub-regional and regional environmental capabilities concerned with environmental assessment, management and conservation, including policy, legislative and administrative mechanisms;
 - b) to promote the environmentally sound management and conservation of natural resources;
 - c) to better handle the problem of pollution control including hazardous wastes and potentially toxic materials.

- ii) General objective of the secretariat to assist member States in the establishment of national, sub-regional and regional capabilities concerned with environmental management, assessment and conservation, particularly, the development of institutional and manpower capabilities including policies and legislative mechanisms, the management and conservation of natural resources and pollution control.

b) Problems addressed

24. Events over the last five years in Africa - drought, desertification, and recently, the dumping of hazardous wastes - have highlighted more than ever before, the importance of environmental management for environmentally sound and sustainable development. There have been national, sub regional and regional initiatives at the development of machineries and capabilities for environmental management, assessment and conservation but they have not been able to cope with the rapid increase in environmental pressures as a result of population growth, drought and desertification and other environmental stresses arising from development activities. The present crises that Africa has been going through are very strongly environment related. The challenge, therefore, is for member States to have environmental considerations as an integral part of their development programmes. They should be encouraged and assisted to do so.

c) Strategy for the period 1990-1991

25. During the period 1990-1991, it is proposed to organize workshops, seminars and if possible fellowships and study tours for policy and decision makers in order to help them to develop and/or strengthen their national capabilities for environmental management, assessment and conservation. With this as a base sub-regional and regional capabilities and infrastructure can also be developed and/or strengthened.

26. It is also being proposed to carry out pilot projects and other field activities in the area of the management and conservation of natural resources and pollution control. This will be done with the view to establishing guidelines for environmental impact assessment and environmental impact studies.

Sub-programme details

Sub-programme 1. Development of environmental capabilities including policies and legislation

27. The activities of this sub-programme will be aimed at institution strengthening and manpower development including policy orientation and environmental legislation. This will be done through workshops, seminars, study tours and training fellowships. They will also be complemented by the activities under Section 24.

Sub-programme 2. Management and conservation of natural resources
including environmental statistics

28. The activities of this sub-programme will be geared towards the conservation of the biospherical ecosystems and handle those problems that are of immediate and long term concern to member States. They will be carried out through studies, pilot projects and other related field activities as well as the collection and analysis of environmental data.

Sub-programme 3. Pollution control, including hazardous wastes
and potentially toxic materials

29. This sub-programme will deal with the management and/or disposal of hazardous industrial wastes and the handling of potentially toxic materials through environmental impact assessment and environmental impact studies.

IV. CONCLUSION

30. This is the state of the implementation of the 1988-1990 Environment in Africa Work Programme and the propositions that are being made for 1991-1992. Member States are requested to examine both very carefully to ensure that they respond to their needs and to make suggestions accordingly.